

REFERENCE TITLE: homestead exemption; family support liens

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HB 2026

Introduced by
Representatives Reagan, Pearce

AN ACT

AMENDING SECTION 33-1103, ARIZONA REVISED STATUTES; RELATING TO THE HOMESTEAD EXEMPTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 33-1103, Arizona Revised Statutes, is amended to
3 read:

4 33-1103. Effective date of homestead exemption; extent of
5 exemption; exceptions

6 A. The homestead provided for in section 33-1101, subsection A is
7 exempt from process and from sale under a judgment or lien, except:

8 1. A consensual lien, including a mortgage or deed of trust, or
9 contract of conveyance.

10 2. A lien for labor or materials claimed pursuant to section 33-981.

11 3. A JUDGMENT OR LIEN FOR CHILD SUPPORT ARREARAGES, SPOUSAL
12 MAINTENANCE ARREARAGES OR COSTS OR ATTORNEY FEES AWARDED IN AN ACTION FOR
13 THOSE ARREARAGES.

14 3. 4. To the extent that a judgment or other lien may be satisfied
15 from the equity of the debtor exceeding the homestead exemption under section
16 33-1101.

17 B. A sale as described in subsection A of this section and not
18 excepted by subsection A, paragraph 1, 2, ~~or~~ 3 OR 4 of this section is
19 invalid and does not convey an interest in the homestead, whether made under
20 a judgment existing before or after THE homestead is established.